IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

W.P. No. 415 of 2003 (S/S)

Nishant …….. Petitioner

Versus

State of Uttaranchal & others …….. Respondents

Mr. C.D. Bahuguna, learned counsel for the petitioner.
Mr. Nand Prasad, learned Standing Counsel for the State.

Hon'ble P.C. Verma, A.C.J.

By means of present writ petition, the petitioner has prayed for a writ of mandamus to command the respondents No. 1 & 2 to relieve the petitioner for the State of U.P. on the basis of option exercised by him for working in the State of U.P.

Heard Mr. C.D. Bahuguna, learned counsel for the petitioner and Mr. Nand Prasad, learned Standing Counsel for the State.

Petitioner is a Lab Technician in the Department of Medical Heath Services. He was not appointed under Hill Sub-cadre Rules, but he was posted in State of Uttaranchal on and from the appointed day. The petitioner has opted for the State of U.P. Learned counsel for the petitioner has submitted that similarly situated out of 10 candidates, 8 have been relieved for the state of U.P. But the petitioner and one other candidate have been left out.

If this assertion of the learned counsel for the petitioner is correct, the petitioner shall also be relieved for the State of U.P. within a period of one month from the date of production of certified copy of this order.

With the aforesaid observations, the writ petition is disposed of. No order as to costs.

(P.C. Verma, A.C.J.)

Dt. 11.06.2004
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